



BRIAN F. JACKMAN
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DEC 15 2006

In re Application of :
Brian F. Jackman :
Application No. 10/694,137 :
Filed: October 27, 2003 :
Title of Invention: **CARTRIDGE NOZZLE** :
SEAL OPENED BY INTERNAL CARTRIDGE :
PRESSURE :

OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition, filed April 26, 2006 under 37 CFR 1.137(b), to revive the above-identified application.

The petition is **GRANTED**.

A non-Final Office Action was mailed June 6, 2005. A response was due not later than September 6, 2005. A one month extension of time was filed September 1, 2005 but without a proper reply to the office action. Subsequently, an amendment and two month extension of time request were filed on December 5, 2005. At the outset, the extension of time was deficient as a one month extension of time at the rate of \$60 and two month extension of time paid for at the rate of \$165 of time are not the equivalent to a three month extension which carries with it a rate of \$510. A response in the form of an amendment was filed December 5, 2005, albeit after the abandonment of the application, however it was found to be non-compliant under 37 CFR 1.121. Accordingly, a Notice of Abandonment was mailed February 7, 2006.

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by:

(1) the required reply (unless previously filed), which may be met by the filing of a continuing application in a nonprovisional application abandoned for failure to prosecute, but must be the payment of the issue fee or any outstanding balance thereof in an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof;

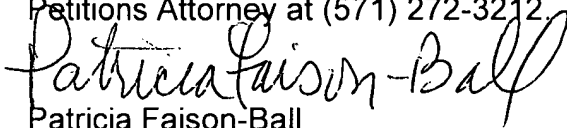
(2) the petition fee required by 37 CFR 1.17(l);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) a terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) in a design application, a utility application filed before June 8, 1995, or a plant application filed before June 8, 1995.

In view of the supplemental amendment file with the petition to revive and all other requirements under 37 CFR 1.137(b) having been met, this matter is being referred to Technology Center 3754 for processing of the amendment filed April 26, 2006.

Telephone inquiries concerning this matter may be directed to the undersigned
Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style. The first name "Patricia" is written in a larger, more prominent script, followed by "Faison-Ball" in a slightly smaller, more compact script. The signature is positioned over the printed name and title of the undersigned.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions